

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - SUP-18279 - APPLICANT: BIOMAT USA -
OWNER: CIVIC CENTER PLAZA, LLC.**

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 7, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for the 2,016 square-foot expansion of an existing 6,545 square-foot Blood Plasma Donor Center at 611 to 623 Las Vegas Boulevard North.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/27/98	The City Council approved a Special Use Permit (U-0006-98) for a 1,930 square-foot expansion of an existing 4,455 square-foot Blood Plasma Donor Center at the subject site. Planning Commission recommended denial, staff recommended approval.
12/18/06	The Department of Neighborhood Services indicates that there is no record of any issues on the subject site since 2002 related to the Blood Plasma Donor Center Use.
12/27/06	Las Vegas Metropolitan Police report 13 responses at the subject address in 2006 and 12 in 2005. None of these cases related to the Blood Plasma Donor Center Use.
01/11/07	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #39/rl).

<i>Related Building Permits/Business Licenses</i>	
12/30/02	Business License C08-11272-93934 for Coin Amusement and L01-1324-93934 for Coin Operated Laundromat issued to Blue Ribbon Laundromat & Cleaners.
07/02/03	Business License 14-73-6-18404 issued to BIOMAT USA Inc. for Clinic/Lab/X-ray/Imaging.

<i>Pre-Application Meeting</i>	
11/14/06	A pre-application meeting was held and the requirements of a Special Use Permit was discussed.

<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.05

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Blood Plasma Donor Center, Service Commercial	MXU (Downtown Mixed Use)	C-2 (General Commercial)
North	Non-profit organization	MXU (Downtown Mixed Use)	C-2 (General Commercial)
South	Restaurant	MXU (Downtown Mixed Use)	C-2 (General Commercial)
East	Retail, Tavern	MXU (Downtown Mixed Use)	C-2 (General Commercial)
West	Single Family Residential, Duplex	MXU (Downtown Mixed Use)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown North Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown North District Mixed Use	X		Y
A-O Airport Overlay District 200 Foot Buffer	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	49,763 SF	NA
Min. Lot Width	100 Feet	160	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	20 Feet 10 Feet 15 Feet 20 Feet	75 Feet 0 Feet NA 5 Feet	Y N* NA N*
Trash Enclosure	50 Foot separation from residential	Existing 32 foot separation	N**
Max. Lot Coverage	50%	29%	Y

* The subject building was constructed in 1964 and is a legal non-conforming building.

** Existing trash enclosure constructed as previously approved.

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Barber Shop	1 chair (980 square feet)	2 per barber chair	2				
Video Rental	980 square feet	1 per 250 square feet	4				
Retail	2,734 square feet	1 per 175 square feet	16				
Blood Plasma Center	8,561 square feet	1 per 200 square feet	43				
SubTotal			62	3	65	3	
TOTAL	13,239 sq. ft.		65		68		Y*

* A site visit confirms that the parking spaces meet the minimum width and depth requirements of Title 19.10.010 J.

ANALYSIS

- General**

The subject site is located in the MXU (Downtown Mixed Use) General Plan designation in the Southeast Sector of the Las Vegas 2020 Master Plan and as Commercial or Mixed-Use in the Downtown North Land Use Plan. The subject site is further located within the Downtown Redevelopment Area of the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment.

The subject business was previously expanded to its existing size in 1998, and while the landscaping does not conform to current Title 19 standards, improvements were made to the parking lot landscaping through the addition of planters and the removal of 27 parking spaces as conditions of approved Special Use Permit (U-6-98) for that expansion. These improvements included the removal of 27 parking spaces and the addition of landscaping improvements including 11 palm trees.

In addition, the applicant provides security on the site and, despite past problems, the Neighborhood Services Department reports that there is no record of complaints at the site since prior to 2002.

- **Zoning**

The subject property is located in the C-2 zone, in which the Blood Plasma Donor Center is allowed with an approved Special Use Permit. The C-2 zone is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses.

- **Use**

Title 19.20 defines Blood Plasma Donor Center as a building used for the collection of human blood plasma from plasma donors. This use does not include a facility for the provision of medical care or treatment. This use is permitted in the C-2 (General Commercial) zone with a Special Use Permit.

- **Conditions**

There are no special conditions required for the issuance of a special use permit for a Blood Plasma Donor Center except for the on-site parking requirements of one space for each 200 square feet of gross floor area. The subject site requires 42 parking spaces for the Blood Plasma Donor Center as well as an additional 26 spaces for the other businesses within the retail center. The required 68 spaces are provided on the site, and this has been confirmed by two site visits. In addition, located at the intersection of Bonanza Road and Las Vegas Boulevard, the subject site is served by two major transit lines with eight buses serving the site every hour. In addition, the subject site is within one half mile of high density residential and high intensity employment centers, allowing for easy walkability.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

While there are concerns about the proposed expansion, the proposed land use can be conducted in a manner that is harmonious and compatible with surrounding uses. The proposed expansion will increase the waiting area and decrease the impact on loitering outside the current facility. According to the Neighborhood Services Department, in the last four years, there is no record of neighborhood complaints nor code violations regarding the subject business.

2. “The subject site is physically suitable for the type and intensity of land use proposed.”

The subject site is an existing retail center and the expansion of the existing Blood Plasma Donor Center into the former Laundromat location will not add undue burden to the subject site as the number of parking spaces is sufficient to meet the additional two parking spaces required by the change in use. As the expansion will take place within an existing vacant suite, no expansion to the square footage of the existing building is proposed. The parking lot includes 68 parking spaces that are 10 feet wide and 18 feet deep. An existing trash enclosure is installed on the south side of the building and conforms with

3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”

The subject site is served by Las Vegas Boulevard, a 100-foot Primary Arterial as designated on the Master Plan of Streets and Highways. This arterial is adequate to meet the increased demands associated with the expansion of this business. The subject site is further served by pedestrian infrastructure and two major mass transit routes, serving much of its clientele.

4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”

The proposed use will not compromise the public health, safety, and welfare because the use will be constructed in compliance with applicable building codes.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed expansion of an existing Blood Plasma Donor Center meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 159 by City Clerk

APPROVALS 0

PROTESTS 3